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OCT 06 2003
TECH CENTER 1600/2900

FILING RECEIPT

FILING DATE: September 29, 2003

DOCKET NUMBER: RUNKIS-1

TITLE OF INVENTION: Composition for treating cells and method for qualitatively and quantitatively customizing the formulation thereof

SEND ALL CORRESPONDENCE TO: Walter H. Runkis, POB 593, Botsford, CT, 06404

USSN: 09/880,322

APPLICANT[S] Walter H. Runkis

☐ NEW APPLICATION WITH TRANSMITTAL LETTER
☐ UTILITY ☐ DESIGN

☐ SPECIFICATION CONSISTING OF _____ PAGES

☐ COMBINED DECLARATION AND POWER OF ATTORNEY

☐ VERIFIED SMALL ENTITY STATEMENT

☐ DRAWINGS (NUMBER OF PAGES _____)

☐ CORRECTED TERMINAL DISCLAIMER

☒ RESPONSE TO FIRST OFFICE ACTION AND AMENDMENT

☐ INFORMATION DISCLOSURE STATEMENT (NUMBER OF PAGES _____)

☐ NOTICE OF APPEAL ☐ APPEAL BRIEF

☐ FILING FEE

☐ ISSUE FEE

☒ OTHER – 2 Change of Address Forms PTO/SB/122

Receipt is hereby acknowledged of the papers filed as indicated in regard to the above indicated application. A stamped, self-addressed envelope is enclosed.

COMMISSIONER OF PATENTS AND TRADEMARKS

G/W



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
www.uspto.gov

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Paper No. OCT 06 2003

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Notice of Non-Compliant Amendment (Voluntary Revised Practice)

Official Gazette on February 25, 2003 (*Amenaments in a revised format now permitted*, 1207 Off. Gazette 100), does not fully comply with minimal requirements of the voluntary practice. In order for the amendment to be entered, it must either (1) comply with the guidelines of the voluntary revised amendment practice (which practice invokes waivers of certain 37 CFR 1.121(a)-(d) requirements) or (2) comply with current 37 CFR 1.121 requirements.

THE FOLLOWING ITEM(S) IN APPLICANT'S AMENDMENT CAUSES THE AMENDMENT TO BE NON-COMPLIANT WITH THE VOLUNTARY REVISED AMENDMENT PRACTICE.

- ☒ 1. A complete listing of all of the claims is not present in the amendment paper.
- ☐ 2. The listing of claims does not include the text of all claims currently under examination.
- ☐ 3. The claims of this amendment paper have not been presented in ascending numerical order.
- ☐ 4. Each claim has not been provided with a status identifier, and, as such, the individual status of each claim cannot be determined.
- ☐ 5. Other: _____

LIE: Check one of the following boxes:

☐ **PRELIMINARY AMENDMENT:** Applicant is given ONE MONTH from the mail date of this letter to re-submit the amendment in compliance with either the guidelines of the revised amendment practice or current 37 CFR 1.121. Failure to comply with either the current 37 CFR 1.121 practice or with the voluntary practice will result in non-entry of the amendment and examination on the merits will commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be a *bona fide* response, applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit an amendment which complies with either the voluntary practice guidelines or current 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

194,771
Legal Instruments Examiner

¹ For further explanation of the guidelines of the revised amendment format, please see the posted notice and sample amendment format at:
<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf> and
<http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/formatrevamdtprac.pdf>



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of Walter H. Runkis

September 29, 2003

Serial No.: 09/880,322

Group Art Unit 1616

Filed: June 13, 2001

Examiner: S. Mark Clardy

For: "Composition for treating cells and method for qualitatively and quantitatively customizing the formulation thereof"

TRANSMITTAL LETTER, SECOND RESPONSE TO FIRST OFFICE ACTION
AND AMENDMENT

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Attached hereto is a corrected follow-up response to the First Office Action and an amendment to the First Office Action mailed September 8, 2003 (copy also attached).

Respectfully submitted,

Walter H. Runkis

POB 593
Botsford, CT 06404
203-445-9975